REMARKS

Claim Rejections under 35 U.S.C. § 112

The following explanation addresses the examiner's concerns regarding enablement. This explanation is for exemplary purposes only and is not to be considered as limiting the claims in any way. In view of the following discussion, reconsideration of the § 112 first paragraph rejection of claims 1-20, 57-60, 70-75, and 76-84 is requested.

As shown in Figure 1, a storage system may be coupled to a receiver. The storage system may include a stream storage, a clip storage, and a block storage. Specification, page 3, lines 14-20. The stream storage may store one or more streams, the clip storage may store one or more clips, and the block storage may store one or more blocks. *Id.* The storages may be implemented as separate storage units of a same or of different types, or they may be implemented as logically distinct units within a single actual storage device. *Id.*

An incoming media stream may be received, stored, and output. Specification, page 4, lines 3-6; Figures 1 and 2. In fact, in most instances, the receiving, storing, and outputting of the media stream is an ongoing process. Specification, page 5, lines 7-8. Because the incoming media stream is stored, and because the stream storage may store one or more streams, in some instances, the received streams are stored in the stream storage.

A clip from the incoming media stream may be stored in the clip storage. Specification, page 4, lines 7-10. For example, a clip may be stored in response to user activation of a trigger, and trigger activation may be during the middle of a song or a show. *See, e.g.,* Abstract of the Disclosure; original claim 41. Thus, a clip is not limited to the beginning of a media content item such as a song; rather, it may take place at some arbitrary time. Specification, page 4, lines 7-10. In one mode, a clip may be converted to digital and it may be stored, whereas in other modes, a representation of the clip, such as a cyclic redundancy check value of the clip, a digital signal processing (DSP) representation of the clip, or some other representation of the clip may be stored in for example the clip storage. Specification, page 4, lines 7-14.

In some embodiments, the user may enter one or more parameters concerning the clip such as the estimated time into a block that the trigger was hit. Specification, page 4, lines 24-31. The user may also enter other parameters concerning the clip, the block, and/or the stream. For example, the user may enter the length of a possible block to watch for. *Id.* Thus, a clip may be captured and stored in the clip storage as the clip or a representation thereof, and

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information about the clip (and/or the block that may include the clip) may be known, which might facilitate capture. Notably, the incoming stream may continue to be received, stored, and outputted (in an ongoing process). Specification, page 5, lines 7-8.

A clip may be found in an incoming stream by comparison to determine whether the block is found in the stream. Specification, page 5, lines 9-15. For example, in some embodiments, this may be accomplished using conventional digital signal processing techniques. *Id.* Namely, in some embodiments, a sliding window over the stored stream may be utilized. *Id.* The processing system may generate a DSP result, CRC value, or the like based on the contents of the window. *Id.* The DSP window result may be compared to a DSP clip result. Original claim 2. In this way, a clip may be found in the media stream. If the clip is found in the window, a block will be stored. Specification, page 5, lines 16-23. Typically, to store the block, a starting point of the block may be identified. *Id.* For example, in the case of a radio broadcast, there may or may not be near-silence at the beginning of the song, and in the case of a television broadcast, there may be blank frames at the start. *Id.* Thus, the processing system may look for a feature that may indicate the starting point of a block. *Id. See also,* original claim 50 and original claims 1-3. The block may be stored in the block storage. *Id.*

Recall that in some embodiments the user may estimate the time into the block that a trigger was hit. Thus, it is submitted that with the knowledge that some time had passed between clip capture and the start of the block, a stream would be stored for a long enough time and/or the window would be large enough to enable finding the clip and then identifying the beginning of the block. Indeed, in the abstract it is recognized that a clip may be taken from the middle of a song or show and that upon finding the clip, the beginning of the song or show would be identified so that the entire song or show could be saved. *See, e.g.,* Abstract of the Disclosure. Moreover, original claim 50 describes a situation where a processing system locates in the stream storage a first portion of an entertainment content that contains a substantially similar copy of the clip, identifies a first block of the portion within the first portion, and causes the first block to be stored in a block storage. *See* original claim 50. Taken together, it is respectfully submitted that if a clip is identified in a stored stream, the beginning of a block including the clip may be found in the stored stream so that the entire block may be stored in a physically or logically distinct storage.

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In sum, it is respectfully submitted that the disclosure is enabling in each of the areas that the examiner is concerned about. Namely, there is adequate disclosure for how a clip may be found, how a start point can be identified, and the time factors involved with identifying the clip and finding the identified start of the first portion. Reconsideration is requested.

Claim Rejections under 35 U.S.C. § 102

The examiner rejected independent claims 1, 14, 70, and 76 under 35 U.S.C. § 102(b) as being anticipated by Nishiuchi. It is respectfully submitted that Nishiuchi does not anticipate any of the independent claims.

There is simply no evidence that Nishiuchi stores an incoming media stream in such a way that if a clip is found in a stored media stream, the start of a first portion of the media stream can be identified so that the first portion may be stored in another distinct storage. Simply, as best described in Nishiuchi's abstract, when a sound signal of a television broadcast is input from a signal input part, the signal is converted into a digital signal and then inputted in a discrimination part 5. *See* Abstract. Nishiuchi does not describe discrimination part 5 as a memory or having memory capabilities. Therefore, after comparison with the data readout from the memory part 4, the inputted signal to the discrimination part is lost. Moreover, Nishiuchi records to videotape. [0003]. Typically the videocassette recorder format is analog and Nishiuchi does not indicate otherwise. Thus, if theme music of a program is broadcast, it is first recognized in the discrimination unit 5 before analog recording takes place. If recording has been previously stopped due to lack of agreement, restart of videotape recording would be after the beginning of the program. There is no indication that Nishiuchi does otherwise. For at least this reason, it is respectfully submitted that Nishiuchi does not anticipate any of the independent claims or claims dependent thereon.

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Additionally, as was previously explained in earlier responses, Nishiuchi is limited to the recognition of the beginning of a program. Moreover, as explained above, Nishiuchi does not provide a mechanism store a program from the beginning of the program after the beginning of the program has started. For at least these additional reasons, the claims are patentable over Nishiuchi. *See also,* Reply to Paper No. 9 and Reply Under 37 C.F.R. § 1.111 (Paper No. 20041009).

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CONCLUSION

In view of the amendments and remarks herein, the application is in condition for allowance. The examiner's prompt action in accordance therewith is respectfully requested. The commissioner is authorized to charge any additional fees, including extension of time fees, or credit any overpayment to Deposit Account No. 20-1504 (ITL.0788US).

Respectfully submitted,

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